

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

JOHN WINSTON FORRESTER, et al.,
Plaintiffs,

v.

WOOD COUNTY TEXAS, et al.,
Defendants.

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CIVIL ACTION NO. 6:17CV561

JURY DEMANDED

PROPOSED AMENDED DOCKET CONTROL ORDER

Pursuant to the Court's Order (Docket No. 61), the Parties file the following joint amended Docket Control Order.

It is hereby **ORDERED** that the following schedule of deadlines is in effect until further order of this Court:

3 DAYS after conclusion of trial	Parties to file Motion to Seal Trial Exhibits , if they wish to seal any highly confidential exhibits. EXHIBITS: See Order below regarding exhibits.
March 25, 2019 Court designated date – not flexible without good cause - Motion Required	JURY TRIAL before Judge Robert W. Schroeder III, in Tyler, Texas. For planning purposed, parties shall be prepared to start the evidentiary phase of trial immediately following jury selection.
March 18, 2019 Court designated date – not flexible without good cause - Motion Required	9:00 a.m. JURY SELECTION before Judge Robert W. Schroeder III, in Tyler, Texas.
March 5, 2019 Court designated date – not flexible without good cause - Motion Required	10:00 a.m. PRETRIAL CONFERENCE before Judge Robert W. Schroeder III, in Texarkana, Texas. All pending motions will be heard. Lead trial counsel must attend the pretrial conference.

February 26, 2019	File a Notice of Time Requested for (1) voir dire, (2) opening statements, (3) direct and cross examinations, and (4) closing arguments.
February 26, 2019	File Responses to Motions <i>in Limine</i> .
February 19, 2019	<p>File Motions <i>in Limine</i> and pretrial objections.</p> <p>The parties are ORDERED to meet and confer to resolve any disputes before filing any motion <i>in limine</i> or objection to pretrial disclosures.</p>
February 19, 2019	<p>File Joint Final Pretrial Order, Joint Proposed Jury Instructions with citation to authority and Form of the Verdict for jury trials.</p> <p>Parties shall use the pretrial order form on Judge Schroeder's website.</p> <p>Proposed Findings of Fact and Conclusions of Law with citations to authority for issues tried to the bench.</p>
February 12, 2019	Exchange Objections to Rebuttal Deposition Testimony.
February 5, 2019	<p>Notice of Request for Daily Transcript or Real Time Reporting of Court Proceedings due.</p> <p>If a daily transcript or real time reporting of court proceedings is required for trial or hearings, the party or parties making said request shall file a notice with the Court.</p>
February 5, 2019	<p>Exchange Rebuttal Designations and Objections to Deposition Testimony.</p> <p>For rebuttal designations, cross examination line and page numbers to be included.</p> <p>In video depositions, each party is responsible for preparation of the final edited video in accordance with their parties' designation and the Court's rulings on objections.</p>

January 23, 2019	<p>Exchange Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof.</p> <p>Video and Stenographic Deposition Designation due. Each party who proposes to offer deposition testimony shall serve a disclosure identifying the line and page numbers to be offered.</p>
<p>January 15, 2019</p> <p>Court designated date – note flexible without good cause – Motion Required</p>	<p>Any remaining Dispositive Motions due from all parties and any other motions that may require a hearing (including <i>Daubert</i> motions).</p> <p>Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to exceed page limits will only be granted in exceptional circumstances.</u></p> <p>For each motion filed, the moving party shall provide the Court with one (1) copy of the completed briefing (opening motion, response, reply, and if applicable, surreply), excluding exhibits, in a three-ring binder appropriately tabbed. All documents SHALL be double-sided and must include the CM/ECF header. These copies shall be delivered to Judge Schroeder's chambers in Texarkana as soon as briefing has completed.</p> <p>Respond to Amended Pleadings.</p>
January 14, 2019	Parties to Identify Rebuttal Trial Witnesses.
January 7, 2019	<p>Parties to Identify Trial Witnesses; Amend Pleadings.</p> <p>It is not necessary to file a Motion for Leave to Amend before the deadline to amend pleadings. It is necessary to file a Motion for Leave to Amend after the deadline.</p>
December 10, 2018	Discovery Deadline.
November 12, 2018	Document Production Deadline

November 12, 2018	<p>Parties designate rebuttal expert witnesses, rebuttal expert witness reports due. Refer to Local Rules for required information.</p> <p>If, without agreement, a party serves a supplemental expert report after the rebuttal expert report deadline has passed, the serving party must file notice with the Court stating service has occurred and the reason why a supplemental report is necessary under the circumstances.</p>
October 11, 2018	<p>Parties with burden of proof designate expert witnesses. Expert witness reports due. Refer to Local Rules for required information.</p>
5 Days	EXPECTED LENGTH OF TRIAL

In the event that any of these dates fall on a weekend or Court holiday, the deadline is modified to be the next Court business day.

The parties are directed to Local Rule CV-7(d), which provides in part that “[a] party’s failure to oppose a motion in the manner prescribed herein creates a presumption that the party does not controvert the facts set out by movant and has no evidence to offer in opposition to the motion.”

A party may request an oral hearing on a motion filed with the Court. Any such request shall be included in the text or in a footnote on the first page of the motion or any responsive pleading thereto. The Court does not hold telephonic hearings absent unusual circumstances.